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INFO RUCNKR/KOREA COLLECTIVE PRIORITY

C O N F I D E N T I A L SEOUL 001750

SIPDIS

CA/OCS (BOND, MICHELE)
CA/OCS/CI (REGAN,MIKE)

E.O. 12958: DECL: 10/30/2029
TAGS: CASC PREL KOCI KITA KS
SUBJECT: THE HAGUE CONVENTION: A WORD FROM THE PRESIDENT
MIGHT BE ENOUGH TO BRING ROK RATIFICATION

Classified By: DCM Mark A. Tokola. Reasons 1.4 (b), (d).

¶1. (C) SUMMARY: Post urges inclusion of Korean Accession to the Hague Convention on International Child Abduction in President Obama,s agenda for Seoul. This issue was previously raised with the ROK on numerous occasions, both in Seoul and Washington, over the past year, including by the Secretary. The ROK Ministry of Justice claims to be studying the issue, but a political decision needs to be made at the highest levels of the ROKG to move this issue forward. A mention, however brief, by the President will provide significant impetus to ROKG discussions. END SUMMARY.

¶2. (C) The Hague Convention is an international civil legal mechanism for determining which courts will hear and ultimately rule on issues of custody and visitation in cases of international child abduction. The U.S. incorporated this Convention into law in 1988 and is one of 69 signatories. The Republic of Korea has never acceded to the Convention, impeding the timely resolution of emotional child abductions between our two countries. One particularly high-profile child abduction case has generated significant Congressional concern and at Ambassadorial confirmation hearings.

¶3. (C) While there appears to be support for accession to the Convention within the Ministry of Foreign Affairs and Trade, the action is with the Ministry of Justice, which is decidedly less positive. President Obama,s scheduled trip to Korea provides an opportunity for this issue to be raised at the very highest levels of the Korean Government. It is Post,s view that top-down support from the Blue House and the National Assembly will be required for Korea,s accession to the Convention.

¶4. (C) While post understands that adding this agenda item for Seoul may be difficult, a short mention - a sound bite from President Obama at the Blue House inquiring about Korea,s progress with Hague accession would have the effect of drawing attention to this issue from the highest levels, generating the top-down momentum necessary for the ROKG to achieve progress.

¶5. (C) With the recent media and Congressional attention being given to International Parental Child Abductions, such as the Richard Melanson case here and Christopher Savoie,s case in Fukuoka, Japan, pressing both Japan and Korea with a consistent message of support for the Convention makes sense. As host of next November,s G20 meeting, Korea could serve as an example in the region on the issue of accession to multilateral agreements. Accession of either Korea or Japan to the Convention would increase the probability of accession by the other; and increase the likelihood of other countries in the region becoming signatories.

¶6. (C) Embassy Seoul and the Department have been working for years on obtaining the ROK,s accession to this Convention.

We may now have an opening and intervention by the President
could be move us forward.
STEPHENNS